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Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 13 April 2006 from the Permanent Mission of Brazil to the United Nations addressed to the Secretariat

The Permanent Mission of Brazil to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to refer to the decision of the Government of Brazil to present its candidature for the election to the Human Rights Council, to be held on 9 May 2006.

Please find enclosed a copy of the pledges demonstrating the commitments of Brazil in the field of human rights (see annex).

* Reissued for technical reasons.

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Annex to the note verbale dated 13 April 2006 from the Permanent Mission of Brazil to the United Nations addressed to the Secretariat

Voluntary pledges of Brazil for the Human Rights Council

With respect to the implementation and consolidation of the Human Rights Council, Brazil pledges to:

- Encourage the consideration by the Human Rights Council, as early as possible, of the draft International Convention for the Protection of All Persons from Enforced Disappearance and of the draft Universal Declaration on the Rights of Indigenous Peoples, both issues that were ready for a decision in the extinct Commission on Human Rights, therefore enabling the adequate follow-up of the positive contributions of the Commission on Human Rights for the development of international human rights law;

- Contribute to the process of revision to be undertaken by the Council of the mandates and functions of the extinct Commission on Human Rights, with a view to strengthening its independence and transparency and rationalizing its functioning;

- Contribute to the development, by the Human Rights Council, of the functions pertaining to the promotion of human rights education and learning, as well as the performance of technical assistance services and capacity-building in the field of human rights, given their important preventive aspects, with a view to striking a balance between promotion and protection;

- Seek to strengthen the principle of universality in the monitoring of the human rights situation throughout the world. Brazil expects that the universal periodic review mechanism to be implemented by the Human Rights Council will also contribute towards this end, in consonance with the goal of the Brazilian proposal for the elaboration of global report on human rights, to the extent that the mechanism reinforces the principles of universality, indivisibility and non-selectivity with respect to the evaluation of the human rights situation in all parts of the world. Brazil will dedicate itself to ensuring that the universal periodic review mechanism is endowed with sufficient time and periodicity, as well as an adequate format for the efficient examination of the implementation of all human rights, civil, cultural, economic, political and social, as well as to development, in all Member States of the United Nations, on the basis of cooperation and genuine dialogue.

With regard to the engagement with international protection mechanisms, Brazil pledges to:

- Maintain the standing invitation to all the special thematic procedures of the Council, and a frank and constructive dialogue with the mandate holders, with special attention to the follow-up to their recommendations;

- Maintain a broad and transparent cooperation with the treaty bodies, including through the timely presentation of the periodic reports and special attention to the recommendations provided by the Committees;

- Consider recognizing the competences of the Human Rights Committee and of the Committee against Torture to receive and examine individual complaints of violations of the International Covenant on Civil and Political Rights and of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Brazil will encourage, in this regard, consideration by the national Parliament of the requests for authorization to adhere to the first Optional Protocol to the International Covenant on Civil and Political Rights and to formulate the declaration prescribed under article 22 of the Committee Against Torture;

- Support regularly the activities of the United Nations High Commissioner for Human Rights;

With regard to participation in the international human rights instruments, Brazil is already a part of practically all international human rights instruments. With a view to strengthening even more its participation in the human rights protection treaties, Brazil commits itself to:

- Consider adhering to the second Optional Protocol to the International Covenant on Civil and Political Rights, regarding the abolition of the death penalty, taking into consideration that the death penalty has not been applied in Brazil since the nineteenth century and is constitutionally proscribed. Brazil will encourage, in this regard, the consideration by the national Parliament of the request for authorization to adhere to the second Optional Protocol to the International Covenant on Civil and Political Rights;

- Encourage the ratification of the Additional Protocol to the Convention against Torture, currently under examination in the national Parliament.

With regard to the strengthening of the regional systems for the promotion and protection of human rights, Brazil pledges to:

- Contribute to the continuous strengthening of the Inter-American system for the promotion and protection of human rights, seeking to significantly advance the negotiations of a draft Inter-American Convention against Racism and All Forms of Discrimination and of an American Declaration on the Rights of Indigenous Peoples;

- Regularly support the activities of the Inter-American Commission and Court of Human Rights;

- Seek to strengthen the cooperation and political dialogue relating to human rights within MERCOSUR and its associated States, through the consolidation of the Meeting of High Authorities in the field of Human Rights and Ministries of Foreign Affairs of MERCOSUR and associated States;

- Encourage cooperation and political dialogue in the field of human rights within the South American community of nations.